Service of summons.

[1] **3.** The summons shall be served personally on the person summoned, or, if he cannot be found, it may be left for him with some adult member of his family residing with him, or with the head of the village in which he lives.

Persons summoned to produce may send documents by third party.

[1] **4.** Any person may be summoned to produce a document, without being summoned to give evidence; and any person summoned merely to produce a document shall be deemed to have complied with the summons if he causes such document to be produced, instead of attending personally to produce the same.

When personal attendance of witnesses dispensed with.

[1] **5.** When the person whose evidence may be required is unable, from sickness or infirmity, to attend before the officer issuing the summons, or is a person whom by reason of rank or sex it may not be proper to summon, the officer issuing the summons may, of his own motion, or on the application of the party whose evidence is desired, dispense with the appearance of such person, and order him to be examined by a subordinate deputed by such officer for the purpose.

MADRAS ACT No. VIII OF 1869[2].

[THE MADRAS INAMS ACT, 1869.]

[*27th May 1868*; *8th December 1869*.]

An Act to prevent doubts as to the true intent and meaning of certain words used in the title-deeds of inams heretofore furnished to inam-holders by the Inam Commissioner of the Madras Presidency, and to declare the true intent and meaning of Madras Acts IV of 1862 and IV of 1866.

Preamble.

WHEREAS, under the rules sanctioned by the Local Government in the year 1859, and published in the *Fort St. George*

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[1] Sections 2 to 5 of this Act apply, *mutatis mutandis*, to summons under Madras Act V of 1893—see section 3 of that Act.

[2] Short title, "The Madras Inams Act, 1869" was given by the Repealing and Amending Act, 1901 (Central XI of 1901).

This Act has been declared, by notification under s. 3 (*a*) of the Scheduled Districts Act, 1874 (XIV of 1874), to be in force in the Scheduled Districts in Ganjam—*see Fort St. George Gazette*, 1899, Pt. I. p. 888. It has also been declared by a notification under the same section to be in force in the muttas of Dutcharti and Guditeru of theGodavari Agency—*see Fort St. George Gazette*, 1930, Pt. I, p. 553.

The Act has been declared by a notification under section 3 (*b*) of the Scheduled Districts Act, 1874, to be not in force in the Vizagapatam Agency—*see ibid.*

The Act has been extended by a notification under section 5 of the Scheduled Districts Act to the Bhadrachalam and Nugur taluks of the Godavari Agency—*see ibid.*

Gazette, dated the 4th October 1859, for the adjudication and settlement of inam-lands in the Madras Presidency, the Inam Commissioner of the said Presidency is required to furnish inam-holders with title-deeds in respect of their inams, prepared according to certain forms prescribed by the said Government; and whereas the terms of the title-deeds so prepared appear in many cases to convey a more extensive right than was intended to be given or than could be legally given; and whereas it is apprehended that the terms of the title-deeds may be so construed as to affect the rights and interests which other persons may have in lands from which the inams are derived or drawn, in cases where inam-holders do not possess the proprietary right in the soil, but only the right of receiving the rent or tax payable to Government in respect of the inam-lands as transferees of the Government, and it is therefore expedient to remove all doubts as to the true intent and meaning of the words used in the said title-deeds; and whereas the words "land" and "lands" are used in Madras Acts IV of 1862 and IV of 1866 in connexion with inams in a sense not applicable to inams, and it is expedient to explain the true intent and meaning of such words in the said Acts; It is enacted as follows :—

Effect of wording of inam title-deeds and of wording of Madras Acts IV of 1862 and IV of 1866.

1. Nothing contained in any title-deed heretofore issued to any inam-holder shall be deemed to define, limit, infringe or destroy the rights of any description of holders or occupiers of the lands from which any inam is derived or drawn or to affect the interests of any person other than the inam-holder named in the title-deed; and nothing contained in Madras Act IV of 1862, or in Madras Act IV of 1866, shall be deemed to confer on any inam-holder any right to land which he would not otherwise possess.